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2008 JUL -9 PM 3:03  
CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY VAH DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

June 2008 Grand Jury

'08 CR 2264 L

UNITED STATES OF AMERICA,	)	Criminal Case No.
	)	
Plaintiff,	)	<u>I N D I C T M E N T</u>
	)	
v.	)	Title 8, U.S.C., Secs. 1326(a)
	)	and (b) - Attempted Entry After
RICARDO TALAVERA (T/N),	)	Deportation
aka Mario Garcia-Rivera,	)	
	)	
Defendant.	)	
	)	

The grand jury charges:

On or about March 5, 2008, within the Southern District of California, defendant RICARDO TALAVERA (T/N), aka Mario Garcia-Rivera, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from

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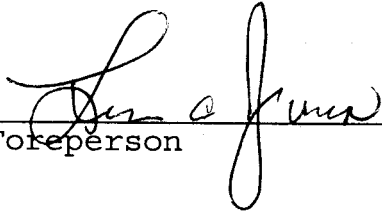
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1 Mexico into the United States, that was a substantial step toward  
2 committing the offense, all in violation of Title 8, United States  
3 Code, Sections 1326(a) and (b).

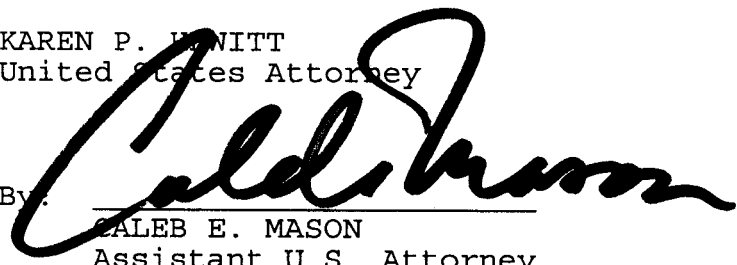
4 It is further alleged that defendant RICARDO TALAVERA (T/N), aka  
5 Mario Garcia-Rivera, was removed from the United States subsequent to  
6 June 20, 1994.

7 DATED: July 9, 2008.

8 A TRUE BILL:

9  
10   
11 Foreperson

12 KAREN P. HEWITT  
13 United States Attorney

14   
15 BY: CALEB E. MASON  
16 Assistant U.S. Attorney